1568/731.

A

VINDICATION

OF THE

CONDUCT

OF

Capt. *M——N.*

AND OF THE

COURT-MARTIAL.

By a SEA-OFFICER.

LONDON:
Printed for M. COOPER, at the *Globe* in *Paternoſter-Row.* 1745.
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AS the greateſt of Men are not always infallible, ſo when Reſentment gets the better of our Reaſon, the Force of Prejudice riſes ſuperior to our Judgment, and contributes to reduce our Underſtanding on a Level with thoſe who are, in other reſpects, infinitely inferior. I conceive this to have been in a good meaſure the Caſe of that great and experienc'd Officer, who is preſum'd to have wrote the *Enquiry*, or he would not ſo abſolutely have taken one ſide of the Queſtion, and quite loſt ſight of the other.

Mr. *Addiſon* is our great, our judicious Tutor in the Art of Criticiſm on Writings, and the ſame Rules he purſued in that reſpect, will eternally hold good in all other things, where Party Prejudice or Faction contribute not to Bias our Reaſon, and cloud our Underſtandings. One ſide of the Queſtion

is no ſide at all, and is only eſteem'd, until the other ſide is fairly heard; therefore an honeſt Critic ſhould take both together, as that is the true way to do Juſtice in this particular Caſe, both to the Nation, and to thoſe who are ſo unhappy to lye under the Frown of the Publick, in an Affair which at moſt can only be ſaid to be a Miſtake in Judgment, and is in itſelf of ſo nice a Nature, and generally ſo little underſtood, and conſiſts of ſuch a variety of Matter, ſo abſtracted from any ſuch certain Teſts which uſually determine Men in their Judgments, and ſubject to Ideas and Calculations, ſo very uncommon and little known, as that I don't think I have undertaken the leaſt difficult Taſk, to clear up and reconcile it at once to the Underſtandings and Prejudices of thoſe who are unacquainted with Maritime Affairs. The great Points in this Argument are, Capt. *M----n*'s Conduct, and the Judgment of the Court-Martial thereupon; in ſome Parts of this Defence they will be ſeparated, in others unavoidably connected together, and in the whole I don't doubt of giving the Reader as much Satisfaction in this Defence, in favour of Capt. *M---n* and of the Court-Martial, at leaſt as has been given them by the *Enquiry*; and tho' I would not willingly contend with that experienc'd Officer, where his Principles are abſolutely unbiaſs'd, yet in this Caſe, and for the ſake of Truth, as well as for the Sa-

tisfaction of Mankind, I think it my Duty to do it here.

The chief Matter upon which all depends, falls within a very narrow Compaſs; it is whether Captain *M----n* ought in common Prudence to have engag'd the *French* alone, in the Situation he found them? how he could have been ſeconded by the *Dreadnought?* and what would in the Reaſon and common Senſe of things have conſequently followed?

I need not here recapitulate to the Reader all that has been ſaid in Print on this Occaſion; he will in Courſe have the Minutes of the Court-Martial and the Enquiry before him, or the Eſſence of them in his Mind, when he peruſes this. The firſt eſſential Matter that appears to us, is, the Diſpoſition of Mr. *M---n*'s Ship, and the Situation ſhe was in, relative to the Enemy. I muſt firſt take it for granted, that how much ſoever the inferiour Officers examin'd, might be miſtaken in their Judgments as to Time and Diſtances, they could hardly be miſtaken or ſubmit to forſwear themſelves, in plain Matters of Fact. It will therefore evidently follow, that the *Hampton-Court* did heel, or lye along, as the Evidence has ſaid, and that on the like Evidence, that the Enemy ſail'd at the ſame time very upright; the Cauſe of this Difference will appear in its proper Place; at preſent I ſhall only attend to the matter

of Fact, and the Conſequences in point of Seamanſhip and Conduct naturally flowing therefrom. The Author of the Enquiry ſeems to be aiming at a mathematical Calculation, which in this Caſe, he very well knows is little to the Purpoſe, as the ſwelling Surges of a hollow grown Sea entirely baffles all regular Diſpoſitions, and contemns all Plans in Theory; It was not therefore the *Hampton-Court*'s lying along altogether that was the Cauſe ſhe could not fight her Lower-Deck Guns, but her diſorder'd Motion, occaſion'd by a ſwelling Sea, which forced her Lower-Deck Ports at uncertain Intervals. much deeper in the Water, than happen'd merely by her Preſſure of Sail, and ſubjected her to infinite Hazard, in attempting to fight her Lower-Deck Guns. This Remark is evident to every Seaman, and muſt be particularly ſo to the Author of the Enquiry.

As to her Upper-Deck Guns, the ſame Remark will contribute in ſome Meaſure to aid our Defence, as that no Guns in a Rowling Sea can be ſo pointed, as with any moral Certainty to aſſure Succeſs; and without that he muſt have wanted the common Rules of Prudence, to have attempted an Action. The Reader will from hence naturally infer, that as to this Matter, both the *Hampton-Court* and the Enemy's Ships were equally affected by the rowling of the Sea; but this

will

will appear to be no ſuch matter, when the Evidence, join'd to common Experience, ſhews, that Ships who ſail more ſteady and upright, are not liable to be equally convuls'd, with ſuch as lye more along, with the ſame Preſſure of Sail: And although I agree with the Author of the Enquiry, that the Enemy's Steadineſs muſt ariſe chiefly from their being deeper in the Water; yet will it not neceſſarily follow, that they muſt be ſo laden as to encumber their Lower-Deck Guns, ſince very heavy Laden takes up but little Stowage, and as what their's was don't appear, ſo neither does that Remark in any Senſe affect the Argument. In the whole, as to this part of the Argument, it is certainly true, that had the Weather been fair and the Sea calm and ſmooth, which rarely happens in this part of the *Atlantic* Ocean, the *Hampton-Court* might have fought her Lower-Deck Guns with Safety, and her Upper-Deck Guns with Certainty, notwithſtanding the Ship's lying along under the great Preſſure of Sail ſhe carried. But as the Caſe appears to be quite otherwiſe circumſtanc'd, ſo the Judgment made thereof, and the Conſequences naturally flowing therefrom, muſt be ſuitably conſider'd. For my part, who am abſolutely diſintereſted in the Affair, I don't readily ſee what good engaging the Enemy under ſuch Circumſtances could have done, or what eſſential Purpoſe it could have anſwer'd,

anſwer'd, and this will appear more evident when we come to conſider the footing the Author of the Enquiry would have put his ſuppos'd Engagement upon. " He is pleas'd " to think that had the *Hampton-Court* laid " herſelf on the Enemy's Bow, as it's ſup- " pos'd by him ſhe might have done, that " neither cou'd the Enemy's headmoſt Ship " have fir'd her Guns without hauling up " her Courſes, and taking in her ſmall Sails, " nor the ſternmoſt Ship have laid herſelf in " any Diſpoſition to have affected the *Hamp-* " *ton-Court*; and that if the Enemy's head- " moſt Ship had haul'd up her Courſes and " taken in her ſmall Sails, then would the " *Hampton-Court* have righted, and thereby " in proper Condition to have uſed her Low- " er-Deck Guns, and that if the Enemy " had bore away with her Sails ſtanding, " then would they have both fought on a Pa- " rity." To go no further, all this looks very plauſible, though there might be ſome Objections made to thoſe Remarks; but as I ſhall ſufficiently ſhew that even admitting the Remarks to be true, that the Reſult would probably have been very different, ſo is it immaterial at preſent to criticiſe on the Remarks. I muſt beg Leave firſt to preſume, that the *French* underſtand the Art of Sea-fighting as well as the *Engliſh*, I might have ſaid better than the generality of our Sea-Officers, becauſe the *French* conſider and ſtudy

it

it as a Science, which is a little unhappily not the Caſe of the *Engliſh*, and is a Point very juſtly intimated by the Author of the Enquiry. But ſuppoſing no Science in Queſtion, Common Senſe would have dictated to the Enemy how to behave on this Occaſion; the headmoſt Ship would of Neceſſity have bore away, for the Reaſons which the Enquireſt gives, and, as that Author would have it, the *Hampton-Court* after her; but then they would both have ran to Leeward of the ſternmoſt Ship of the Enemy, and when the *Hampton-Court* had come a-breaſt of the *Neptune*, ſhe would of a ſudden have haul'd up her Courſes, and taken in her ſmall Sails, and before the *Hampton-Court* could have done the ſame, ſhe would have ſhot a-head of the *Neptune*, and the *Neptune* have immediately thereupon wore round, and hugg'd the Wind upon the other Tack, and then both the *Neptune* and *Fleuron* have been to windward of the *Hampton-Court*, and thereby have gain'd all the Advantages, which the Author of the Enquiry preſumes the *Hampton-Court* had before: And as by his Account the Leewardmoſt Ship durſt not have engag'd with her lower Sails ſet, and as it's plain enough from the Evidence, that the *French* bore Sail beſt, ſo would they either have engag'd the *Hampton-Court* at vaſt Advantage, or have left her at Pleaſure; and although it may be very true, that the *Dreadnought* would

have

have ſoon come up, yet durſt ſhe not alone have engag'd the Enemy; and ſo it's very probable this wiſe Battle would have ended. I own I could have ſaid much more on the Subject; but that here is ſufficient for the Purpoſe, as the narrower Compaſs an Argument of this nature is compris'd in, the more intelligible it will appear to Seamen as well as Landmen. I doubt not but my Suppoſitions will ſtand the Teſt, equal with the Enquiriſt's, being founded on the ſame Principles, but conducted to more Maturity. Any Landman may comprehend the Theory immediately, if he will only take the Trouble to place two Models of Ships on a Table, or in a Tub of Water, and eſtabliſhing a Point for the Wind, give them the ſame Diſpoſitions I have done: He will likewiſe find the true Cauſe of a light Ship's rowling in a Sea Gate, more than of one which is better ballaſted, by only taking two ſmall Tubs, the one a little ballaſted, the other empty, and committing them in a good Gale of Wind to the Mercy of ſuch little Waves as the Canal in St. *James's Park* is capable of producing, when the Wind blows right up or down it, and by only conſidering the Proportion of the Tubs to a Ship, and of the Waves of the Canal to thoſe of the Sea, be able to form a tolerable Judgment of that part of the Argument.

So

So far I humbly conceive I have perform'd the Taſk aſſign'd myſelf, and clear'd up the Character of the Gentleman, on whoſe behalf I voluntarily write, as far as it relates to his Conduct; and as to his Courage, until there are better Reaſons ſhewn for his uſing it, I ſee no juſt Cauſe to doubt it; and if there are no Cauſes to doubt it, then I conceive that although it may not be eſtabliſh'd, yet it is not fairly to be queſtion'd.

As to the Court-Martial, I doubt not but they conſider'd the whole maturely, and weigh'd every Conſequence juſtly and deliberately, and then putting all things together, very rightly approv'd Mr. *M---n*'s Conduct; and as to the Word *Courage* being involv'd in their Determination, I conceive it meant no more than that they had no Reaſon to doubt it, and therefore included it in courſe. As to the Evidence, it needs only to be obſerv'd, that as they were regularly ſworn, they very probably ſaid nothing wilfully untrue, and as to Miſtakes in Judgment on computing Diſtance, and Time, whatever may not appear ſo juſt as one could wiſh, can at moſt be only eſteem'd a Defect in Judgment. Mr. *Trant* indeed ſtretches Time a little too far, and as the Enquiriſt phraſes it, proves a little too much; but let the Reader compute the Time as he pleaſes, and conſider likewiſe the previous Diſpoſitions of the reſpective Ships, and how

they would probably have acted on both ſides, had they engag'd, he will ſee, that leſſening the Time, as much as he reaſonably ſhould have done, it's very little to the Purpoſe. And as to the Difference of the Evidence, in Point of Diſtance, as to the *Hampton-Court*, and *Neptune*, He will find it rather conſiſts in different Phraſes, than different Facts. And as to the Pointing of the Guns, they varied ſo much in her Rowlings, that I do not well conceive, what Certainty could be attain'd in that Reſpect, and conſequently on being examined, they gave ſuch Anſwers as occurr'd to them, and might as well have been as much in the extreme, on the other Side of the Queſtion; and indeed were ſo little to the Purpoſe, as not to merit Regard.

I think there are but two Things more, which immediately relates to the Affair, remaining to be anſwer'd: The Firſt is a Preſumption of the Enquiriſt's, That Mr. *M--n* ought at leaſt to have fired ſome Guns, becauſe he might thereby have had a Chance to have diſabled the Enemy. The next is, That had the Enemy bore away, as the Enquiriſt preſum'd ſhe would have done, that would not only have given Time for the *Dreadnought* to have come up, but would probably have drove them down altogether on the Captain. As to the firſt, Suppoſing the Enemy to have alter'd her Diſpoſition, as the Enquiriſt himſelf preſumes ſhe would have

have done, I don't well conceive how the *Hampton-Court* could have plac'd any Shot into her, without receiving many more from her, and then the Hazard would have been greater to the *Hampton-Court* than to the Enemy; for although it be very true, that the Enemy being Leeward-moſt, durſt not have fir'd without hauling up her Main Sail, yet as ſoon as ſhe had done that, and fir'd her Guns, ſhe would naturally have purſued the Enquiriſt's Diſpoſition, and bore away, which indeed ſhe could not well have done without hauling up her Main-Sail and Mizen, if both were before ſtanding, but could have fir'd at leaſt the greateſt part of her Guns without any Danger to her Fore-ſail, and therefore would not have haul'd it up, becauſe it was of Uſe in her wearing; and as to the *Hampton-Court*'s getting on her Bow, if ſhe could have done it, and have righted ſo as to have commanded the Uſe of her Guns to any tolerable Certainty, ſhe would, as the Enquiriſt has ſaid, fought the Enemy to Advantage: But if the Enemy would not ſuffer ſuch a Diſpoſition, as certainly ſhe would not, then is all the Enquiriſt's critical reaſoning of no Importance, and conſequently Mr. *M----n*'s Conduct juſt, which is all I contend for.

Now as to their falling down together on the *Captain*, if the Enquiriſt had as critically conſider'd that part, as he has done

ſome other, he would have found that had they run to Leeward in the manner he ſuppoſes they would have done, yet had they not fallen on the *Captain*, as I ſhall ſhew preſently. On the other ſide, had the Enemy purſued the Diſpoſition that I have preſcrib'd, and which I have concluded they moſt probably would have done, it's then morally impoſſible they could have fallen in with her, becauſe they would have been out of Sight to Windward of her, and ſtanding a different way, *viz.* to the W. S. W. while the *Captain*, if ſhe hugg'd the Wind on the moſt likely Tack to meet her Comrades on the Courſe ſhe left them, would have ſteer'd about E. S. E. the direct contrary way. The Wind was at South neareſt, the firſt Day, and the ſecond Day, the Time propos'd as I conceive, for engaging, the Wind was veering away towards the S. W. and appears by the Log-Book inſerted in the Minutes, to be at laſt at S. W. by S $\frac{1}{2}$ South, the Enemy might have then run away large enough, ſteering directly Eaſt, *viz.* with full ten Points of the Compaſs, and the *Captain* keeping her Wind for the Purpoſe aforeſaid, and lying up with the ſame Wind S. E. and conſidering the different way thoſe who ſail'd large would make, with four Points difference in their Courſe, any Seaman or Mathematician will immediately perceive that they could not have fallen in with each other,

even

even ſuppoſing the Enemy had made a running Fight under their Top-ſails only. And as to the Probability of falling in with the Squadron from whence they were detach'd, it is ſtill leſs, ſince they had chas'd out of their Sight long before to the N. E. and the Squadron keeping their cruiſing Station, as when parted from, could never have been fallen in with by an eaſterly Courſe, as is quite demonſtrable; ſo that here ends the Diſpute, as to Conduct.

As to that Branch of the Enquiriſt's Argument how others have behav'd heretofore? and how we ought to imitate them now? are not Points ſo eaſily ſettled, as at firſt Sight may be imagin'd; the way of making War at different Ages, is as much a Faſhion as that of our Apparel, and it therefore is not always which way, or in what Diſpoſition this or that Fleet or Army are put into, but likewiſe by what Diſpoſition the Enemy form themſelves, which the other ſide muſt in ſome meaſure fall in with and purſue. Even fighting itſelf, has in ſome Ages, appear'd to be a kind of Faſhion; the Motives uſually are ſome ſtrong Incentives, form'd on the moſt violent of our Paſſions; the great Incentive to *Britons* is Liberty, either in Church or State, and ſometimes of both connected. In Queen *Elizabeth*'s time our Ardour was inſpirited by Freedom for Religion, and as that had rais'd us to a fix'd Reſolution

ſolution to ſupport our eſtabliſh'd Religion againſt the Arbitrary Power of Popery, ſo when our Spirits were once elevated, that great Incentive puſh'd us on to the purſuit of gallant Actions, whether the ſame were Offenſive or Defenſive; broke looſe from the Chains of Popery, the People were like wild Beaſts freed from Confinement, and leaving the Uſe of Beads and Crucifixes, applied themſelves to the Uſe of Arms, and to revenge themſelves on thoſe who either were, or that they thought were, the Cauſe of their ſo long Impriſonment in the Bonds of Papal and Arbitrary Power, they ſtopt at no Means tending to the Proſecution of their Reſentments. *Spain* moſt naturally felt the Effects of this boiling Ardour in the Breaſt of *Britons*, as that not only its Princes had contributed more than any other in their Endeavours to make them Slaves, but alſo as they perſiſted ſtill in the ſame Purſuits, by bringing upon our Coaſts, what they call'd an invincible Fleet; this improv'd the Rage of the People, ſtimulated on by the Heroiſm of the Queen and Nobles, to that Height, that they really did not much mind, as the Enquiriſt has obſerv'd on more modern Occaſions, at what Odds they fought the Enemy; they always thought it their Buſineſs to Fight at all Adventures, and were, generally ſpeaking, very ſucceſsful, and when by being infinitely overpowered, they ſometimes

times fell a Sacrifice to the Rage of Gallantry, they left this *Memento* behind them to their Enemies, that they were not to be engag'd with, on any thing like equal Terms. This was certainly carrying a very important Point, and gave the Nation a Dignity, and Influence, unknown to former Ages. But it muſt be obſerv'd at the ſame time, that this gallant Fury never rages amongſt us, but when inſpir'd by ſome ſuch like provoking Incentives; the ſame Cauſes will very probably always produce the ſame Effects. A familiar Compariſon will ſhew this more obviouſly: A Man engag'd in amorous Rencounters, ſtimulated by nothing but his natural Paſſions, will enjoy long, calm and conſiderate Intervals, while he who applies to rich Cordials, *Spaniſh* Flies and Opium, is in one perpetual Flame. The People, if I may ſo expreſs myſelf, had *Spaniſh* Flies, and every other inflaming Incentive, to warm them into a thorough and conſtant Love for their Country; but as the State fail'd in applying thoſe Incentives, ſo in Proportion their Ardour droop'd, and during all the Reign of *James* the Firſt, and part of the Reign of *Charles* the Firſt, they were as calm and ſtill as the *Mediterranean* Sea when the Winds are pent up in the Caves of *Eolus*, and not a breath of Air ruffles its Surface. It's no wonder, this conſider'd, why we hear of no gallant Actions during thoſe times, but inſtead thereof,

whatever

whatever we medled with in a Warlike way, was all baffle and defeat, as at *Rochel*, the Iſle of *Rhee*, &c.—But although the Stateſmen in *Charles*'s time were not wiſe enough to treat the People with Provocatives, and put them upon warm Purſuits, the Spirit at home only lay hid, awaiting ſome proper Conjuncture to burſt forth with improv'd Fury, when Liberty, the old Incentive, broke its Chains, releas'd it from a State of Indolence, and gave a full looſe to its Rage; and as it wanted at firſt Objects abroad to act upon, ſo it naturally enough vented its Violence at home, and like a rude Storm deſtroy'd all before it. War was now as much the Buſineſs, and as much employ'd the Thoughts of the People, as any of the common Neceſſities of Life, and in many Reſpects much more, and like the Wind fed by Moiſture, was fed and nouriſh'd by Enthuſiaſm: Nor was its Rage to be ſtopp'd by Succeſs; that only fir'd it the more, and when it had nothing left to work upon at home, it ſpread its Fury abroad, operated on the Neighbour-States, and produc'd a *Dutch* War, ſufficiently replete with great and gallant Actions; ſpent itſelf by Degrees with the Motives that gave it birth, and with the Reſtoration ſubſided. I need not inform my Reader, that it was in theſe Days, the gallant Officer mention'd by the Enquiriſt, flouriſh'd and triumph'd, nor need I perhaps ſay, that ſuch only can flouriſh

and

and Triumph, when ſtimulated by the like Incentives to Glory. Every Age and Nation, either to juſt or unjuſt ends, have provided ſome ſuitable Means to ſpirit up the People to a pitch of Ardour, and where ſuch Politicks have been neglected, the People of every Rank have gone to War, as the common Phraſe is, like Bears to the Stake; for War is not the natural Tendency of the human Mind in its clear rational State. Nature abhors Diſſolution, and the Soul muſt be fir'd with uncommon Ardour, before it will fly willingly into the Arms of Danger. There is indeed one Incentive I have not yet mentioned, and which ought to reign in the Breaſt of every Man who preſumes to receive the Nation's Money in a warlike Capacity; the Reader will immediately perceive that I mean Honour, which whoever wants, and is paid for having, is diſhoneſt; and he who engages without Pay, which rarely happens in diſhonourable Times, and behaves ill, is ſo unhappy as not to know himſelf. Honour, I conceive, means no more in this Caſe, than a Man's doing his Duty with Skill and Spirit; it's no matter from what Motives, whether from the Love of his Country, native Ambition, Hatred of the Enemy, or private Gain; ſo that the Conſequences anſwer the like End, from the worſt Motives as from the beſt, tho'

one would wiſh that the Love of our Country had the firſt Place in the Officer's Breaſt.

I think from theſe ſlight Obſervations, it may be fairly concluded, that it depends very much on the Policy of the State, how thoſe Men will behave who ſerve under it for Pay. It's obvious in common Life, that the Turn of a Man's Mind, his Actions and Purſuits, depend chiefly on his Parental Education, and the bright, or ſullied Examples, that are moſt uſually ſet before him; but if in either Caſe he happens to take a contrary turn, it proves only, that he is either above Art, or below Reproof. It's exactly the ſame in the Government of a whole People, their general Turn of Mind will be according to the Examples ſet before them by their political Parents, or as the Arts they uſe ſtimulate them more or leſs to the Purſuit of great and glorious Actions; and it always has, and probably always will happen, that where thoſe at the head of Affairs diſregard the Nation's Honour, and think of nothing but how to make great Eſtates, Thoſe under them will but too naturally follow the bad Example; and where it happens otherwiſe, it only ſhews Nature in one of her diſtinguiſh'd Excellencies, like a Tree ill prun'd, or Land ill cultivated, producing richly in deſpite of bad huſbandry: when ſuch Comets appear, they are deſervedly admir'd; but are not reaſonably to be expected. It's

It's highly probable that had the People of *England*, at the time of the Revolution, been ſpirited up by a powerful Oppoſition, their latent Genius had reviv'd, and fighting have been as much in Faſhion, as in the Days of *Elizabeth* or *Cromwell*, as in a good meaſure happen'd in *Ireland*, where many things were done in the Struggle, between Liberty and Slavery, which merit being recorded to Poſterity with diſtinguiſh'd Honour.

During the late Queen's Wars, Men rather fought as being ſkilful in, and inur'd to Action, than through a Spirit of Gallantry; every Man was become by habitude a General, and the General, if I may ſo ſpeak, a Demi God. Glory, Honour, Conqueſt and Renown, from the Moment that General was diſmiſs'd, who was the very Soul of Conduct, ceas'd to live in the Breaſt of *Britons*; and a Paſſion for acquiring Wealth and Places ingloriouſly reſum'd their Seat, where they have ever ſince continued to ride Triumphant, in defiance of the Clamour of the People.

May one not from hence draw a very natural Inference, and juſtly ſay, that in ſuch corrupt and degenerate times, great and ſuper-eminent Acts of Gallantry are not to be expected; and that if an Officer behaves ſo well, as not to deſerve Reproof, he is freed from any Reflections, of not

being a very great and gallant Man; ſince whatever the Enquiriſt may expect or wiſh, Nature and Example dictates different Purſuits now, from what they did in more inſpir'd times: And therefore until better Examples are ſet before our Military Men, by thoſe who aſſume the Government of both Prince and People, than any that have of late preſented, it is natural enough to conclude, they will rather, as the Enquiriſt juſtly obſerves, contrive how to make their Fortunes eaſily, than to be an Honour to their Country. But my Reader, I dare ſay, will not preſume from hence, that the Gentleman whoſe Advocate I am, is to be rank'd amongſt thoſe, who are not gallant Men, ſince as that does not appear, it is not fairly to be concluded: It is very true, he did not fight the Enemy, nor perhaps run the ſame riſques, the Enquiriſt's Hero would have done; but it very plainly appears what his Intention was; and if upon balancing Prudence and good Conduct, againſt imminent Hazard, the Scale was judiciouſly, inſtead of being heroically turn'd, I ſee not how he is blameable; ſince Conduct is as much the part of a good Officer, as Heroiſm, and if the Choice don't happen to pleaſe the Many, it's rather his Misfortune than his Fault.

I hope I have ſhewn to the Satisfaction of the Reader, that though the Enquiriſt has

has judiciouſly delineated the Theory of a Sea-Fight, ſuitable to the Circumſtances of the Affair in queſtion; yet that he has not ſaid all that he might, and I hope could have ſaid on the Subject. And for that Reaſon, and to elucidate the whole, I judg'd it extreamly proper to purſue his own Theory, and to eſtabliſh Mr. *M---n*'s Defence, on the ſame Baſis, whereon the Enquiriſt endeavours to eſtabliſh his Conviction, and how far I have ſucceeded therein, muſt be left to the Judgment of the candid Reader. They are indeed both a little out of the Road of common Underſtanding, but the Theory is as ſoon perceiv'd, as thoſe who are curious enough to enquire into it, apply to the Teſt I have before given them. There is indeed a conſiderable difference between Theory and Practice, ſince many little Incidents attend Practice, which cannot be accounted for, to any kind of Certainty in Theory; but as in this Caſe it is equal to both, it needs not a farther Diſquiſition here. I can't help being very much of the Enquiriſt's Mind, that Theory, with all its Defects, is too much neglected, and that if it was more attended to, many good Conſequences would flow therefrom in Practice. But as Affairs are at preſent circumſtanc'd, I don't ſee how it's poſſible to be acquir'd by the Generality of Seamen, unleſs they were inſpir'd. The two ways of becom-

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ing Maſters of Theory are, either by Experience, or Rule, or both; now Experience is only to be acquir'd by Time and Buſineſs, but not by one without the other: In the Courſe of a long Peace, Buſineſs is not to be had, and our Reſource then is to Rule; but if there be no body to teach ſuch Rule, how is it to be acquir'd? Science in general is not the preſent Taſte, the Reaſon is evident, *Mæcenas* lives no more; and if we expect Men to Conjure themſelves into Science, we expect Impoſſibilities, and would have that in others, we are incapable of having in ourſelves; and pleaſe ourſelves rather with building Caſtles in the Air, than of forming rational Concluſions.

There is certainly no greater Pleaſure than that of a military Man's, who is firſt preſum'd a Delinquent, and after a double Trial diſmiſſ'd with Honour; it ſhews him rather to have been the Object of falſe Judgment, than a Criminal; and inſtead of appearing deſerving of Puniſhment, his Skill and Conduct acquires a Luſtre and Dignity, the World had otherwiſe been Strangers to. Therefore to go through his Trials, willingly conſenting to ſubmit his Actions to the moſt ſevere Scrutiny, is of the laſt Importance towards the clearing up and eſtabliſhing his Character, which might otherwiſe, though very unjuſtly appear ſullied. It's very plain in the whole, that Judgment was

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not wanting in the Courſe of this Affair, that the Evidence were ſuch, as were proper to be examin'd, and the difference in their Gueſſes were immaterial to the main Buſineſs; that the declining Battle under ſuch Circumſtances was morally right, however little of Heroiſm there might be in it; and conſequently that the Court-Martial, in acquitting Mr. *M---n*, did what appear'd to them juſt, which is all that could be expected from them or any other Court. I ſhall therefore take the ſame Liberty, that the Enquiriſt has done in addreſſing the Honourable Houſe of Commons, as to them only I chuſe to ſubmit this fair Defence; neither doubting their Candour, nor wiſhing to evade their Juſtice. I doubt not but that they will act like the Triumvirats at *Rome*, by baniſhing all Relationſhip, and ſocial Ties, and ſeverally ſubſcribe to the Puniſhment of their deareſt Friends, if they deſerve it; which is, I preſume, what the Enquiriſt aims at. I likewiſe agree with the Enquiriſt, in thinking that light Puniſhments are at beſt but the Fautors of bad Actions, are in themſelves very bad Examples, and may in the Event be the means of our undoing; and therefore moſt ardently wiſh them to enter upon the Scrutiny with Speed and Vigour, as what has been done by Mr. *M---n* may not appear to have diſhonour'd the Nation, or himſelf, but

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on the contrary may ſhew that there are Officers in the Navy who both underſtand, and purſue their Duty, with Skill and Addreſs.

I muſt likewiſe beg Leave to join with the Enquiriſt, in the Information he gives the Honourable Houſe of Commons, in ſaying that the Scheme for getting Eſtates, is the chief View of the naval Commanders, and that their Shares in Prizes are much too large, and for that Reaſon the taking of trading Ships much more minded than fighting the Enemy; that it is in vain to expect ſuch Purſuits ſhould be alter'd, while the Principle on which they are built ſubſiſts; that the Reaſon of the thing ſufficiently proves it, and that no Nation was ever ſo ill ſerv'd, for being guilty of ſo generous an Error. I likewiſe agree with the Enquiriſt for the ſame Reaſon, That to pay every Commander more for taking a Ship of Force, and leſs for taking a trading Ship, is at once both juſt and equitable, and I doubt not but will produce ſuitable good Effects, as it is form'd adequate to the End; but muſt beg Leave to think, that as one Extream generally produces another, ſo I humbly wiſh that the Commander's Intereſt in the Capture of trading Ships, may not be ſo reduc'd, as even to make them forget that part of their Duty; ſince ruining of the Enemy's Trade is moſt eſſentially conducive

ducive to the ending of the War, both by Sea and Land.

But I can't help differing in Opinion from the Enquiriſt as to the parole of Honour of *Monſieur Ben. Chien*, in conceiving that the Enemy's Ships were not mann'd as he ſays, until an evident Proof appears to contradict it; or that the Enquiry of the Court-Martial was not in the Main properly purſued. However as he offers himſelf to clear up theſe Matters, I hope he will be accepted, as I doubt not in the leaſt of his being a Seaman, and have no Reaſon to queſtion his Veracity, other than that I don't chuſe to Ballance any Man's Words, againſt more ſolemn Acts.

As to the Affair of the Ship *Captain*, which the Enquiriſt has produc'd by way of Poſtſcript, I ſhall only ſay at preſent, as the *Spectator* did of Sir *Roger de Coverly*'s Head, on a Sign, that much may be ſaid on both Sides; and that when the Enquiry comes on, as I heartily wiſh it may, ſo I doubt not but that every Man will be treated as his Caſe ſhall merit.

THE END.

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But I can't help differing in Opinion from the Enquirist as to the parole of Honour of *Monsieur Ben. Chien*, in conceiving that the Enemy's Ships were not mann'd as he says, until an evident Proof appears to contradict it; or that the Enquiry of the Court-Martial was not in the Main properly pursued. However, as he offers himself to clear up these Matters, I hope he will be accepted, as I doubt not in the least of his being a Seaman, and have no Reason to question his Veracity, other than that I don't chuse to Ballance any Man's Words, against more solemn Acts.

As to the Affair of the Ship *Captain*, which the Enquirist has produc'd by way of Postscript, I shall only say at present, as the *Spectator* did of Sir *Roger de Coverly's* Head, on a Sign, that much may be said on both Sides; and that when the Enquiry comes on, as I heartily wish it may, so I doubt not but that every Man will be treated as his Case shall merit.

THE END.

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